CWP No. 1131/2007

22.5.2008: Present: Mr. Praveen Chandel, Advocate vice counsel for the petitioner.

Mr. Janesh Mahajan, Central Government Counsel for the respondents.

The parties are not at variance that the order dated 28th June, 2007 (Annexure P-6) is not in conformity with the judgment dated 15th May, 2007. Consequently, the order dated 28th June, 2007 (Annexure P-6) is quashed and set aside. The respondents are directed to decide the representation of the petitioner afresh taking into consideration the grounds mentioned in the same. The respondents will decide the representation within a period of 8 weeks from the date of receipt of the certified copy of the judgment by a reasoned order. The respondents while deciding the representation of the petitioner will look into the law laid down in CWP No. 742/2003 titled as ***Santosh Kumar Versus Union of India and others*** decided on 9.1.2007. If the representation of the petitioner is decided in his favour, he will be granted disability pension from due date.

With these observations, the writ petition is disposed of. There shall be no order as to costs.

Copy *Dasti* on usual terms.

May 22, 2008 **(Rajiv Sharma), J.**
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